



**MEMO ENDORSED**

**MICHAEL A. CARDOZO**  
Corporation Counsel

**THE CITY OF NEW YORK  
LAW DEPARTMENT**

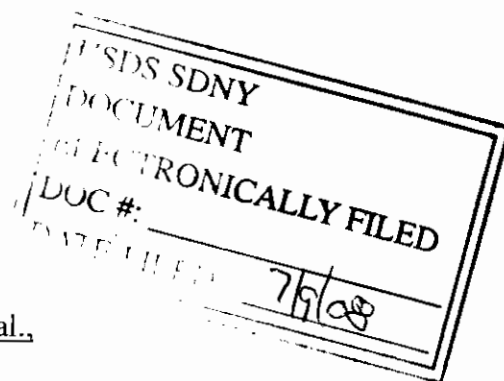
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July 3, 2008

**BY HAND**

Honorable Richard J. Sullivan  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 615  
New York, NY 10007-1312



Re: Charles Gatling v. Warden Mark Hughes, et. al.,  
08-CV-4025 (RJS)

Dear Judge Sullivan:

I am the Assistant Corporation Counsel assigned to the above-referenced action. I write to respectfully request that defendants' time to respond to the Complaint be extended from June 23, 2008 to July 23, 2008. This is defendants' first request for an extension of time in this matter. The additional time is necessary to interview the named defendants and determine issues of representation pursuant to General Municipal Law 50-k(2), as well as to conduct an investigation into plaintiff's allegations. Additionally, upon information and belief, not all of the individually named defendants were served with the Summons and Complaint. An extension of time will increase the likelihood of this office being able to interpose a single response to the complaint.

As defendant is currently incarcerated and proceeding *pro se*, I am unable to obtain his consent for this request.

Thank you for your consideration of defendants' request for an extension of time in this matter.

Respectfully Submitted,



Michael Suarez (MS 5038)  
Assistant Corporation Counsel

cc: Charles Gatling, *pro se*  
North Infirmery Command  
15-00 Hazen Street  
East Elmhurst, New York 11370

Although defendants' request for an extension of time in which to answer the complaint was submitted more than 10 days ~~after~~ said answer was due, the Court nevertheless grants Defendants' request nunc pro tunc. Defendants shall answer or otherwise respond to the complaint by July 23, 2008. No further extensions will be granted absent truly compelling circumstances.

SO ORDERED  
Date:

7/8/08

RICHARD J. SULLIVAN  
U.S.D.J.

